

Atty Dkt. No.: STAN-066DIV  
USSN: 10/025,936

### REMARKS

In view of the above amendments and the following remarks, the Examiner is respectfully requested to withdraw the rejections and allow Claims 23-32, 35-44 and 49-53, the only claims pending and under examination at this time.

All of the independent claims, and therefore all of the claims dependent thereon, have been amended to clarify that the two moieties of the bifunctional molecules are linked to each other, support for this amendment being found, among other locations, at page 9, lines 1 to 6 and page 24, lines 1 ff. Claim 23 has also been amended to clarify the nature of the binary and tripartite complexes produced in various embodiments of the subject methods, where support for those amendments can be found in claims prior to amendment. As such, the above amendments introduce no new matter and their entry by the Examiner is respectfully requested.

The undersigned thanks the Examiner for the helpful interview held on November 5, 2003. During the interview, the above amendments concerning clarification that the two moieties of the bifunctional molecule are linked to each other was discussed, and the Examiner indicated that these amendments would overcome certain of the rejections in the office action. In addition, the cancellation of Claims 16 -22 and 33-34 was discussed in order to expedite allowance of the remaining claims. Furthermore, amendment to Claim 29 as above was requested by the Examiner. Finally, the above amendment to the abstract was also requested by the Examiner. The Examiner indicated that the above amendments would appear to place the application in condition for allowance.

It is noted that the above amendments have been made solely in order to expedite prosecution of the present application to allowance. The Applicants expressly reserve the right to pursue the claims in their original form and do not admit that such claims in their original form are unpatentable for any of the reasons cited in the Office

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Action.

Turning now to the rejections presented in the Office Action, Claims 16-44 were rejected under 35 U.S.C. § 112, 1<sup>st</sup> ¶. In view of the above amendments specifying that the two components of the bifunctional molecules are linked to each other, it is respectfully submitted that this rejection may be withdrawn.

Claims 16-44 were rejected under 35 U.S.C. § 112, 2<sup>nd</sup> ¶ for a number of issues, each of which is addressed separately below.

With respect to the lack of a "linking group" in the claims, in view of the above amendments specifying that the two components of the bifunctional molecules are linked to each other, this issue is believed to be addressed.

With respect to the phrases "binary complex" and "tripartite complex," binary complex is the complex produced upon binding of the bifunctional molecule to the present protein. Depending on the particular embodiment or application, the binary complex may or may not bind to the drug target to form a tripartite complex. Thus, formation of a tripartite complex can depend on the particular environment in which the binary complex is produced. See, e.g., Specification at page 30, line 11 to page 33, line 27, as well as in Figures 1A to 1C.

With respect to Claim 17, in view of the cancellation thereof, this issue is addressed.

With respect to Claim 20, as explained above, while a binary complex is always presented, in view of the cancellation of this claim, this issue is moot.

With respect to Claim 29, in view of the above amendments to Claim 29, this issue is believed to be addressed.

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Finally, with respect to Claim 30, in view of the cancellation of Claim 30, this issue is believed to be addressed.

Accordingly, in view of the above remarks and amendments, it is believe that the rejection of Claims 16-44 and 48-53 under 35 U.S.C. § 112, 2<sup>nd</sup> ¶ may be withdrawn.

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**CONCLUSION**

In view of the above amendments and remarks, this application is considered to be in good and proper form for allowance and the Examiner is respectfully requested to pass this application to issuance.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815.

Respectfully submitted,

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Date: 11.26.03

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